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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 24, 2000

APPLICATION OF

DTE ENERGY MARKETING, INC.

CASE NO. PUE000351

For a license to conduct
business as a competitive
service provider in electric
retail access pilot programs

ORDER GRANTING LICENSE TO PROVIDE
ELECTRIC SERVICE

On July 5, 2000, DTE Energy Marketing, Inc. ("DTE" or "Company"), completed an application for licensure to conduct business as a competitive service provider. DTE states that it seeks to provide electricity in the retail access pilot programs of Virginia Electric and Power Company ("Virginia Power") and American Electric Power - Virginia ("AEP-VA"), focusing on commercial and industrial customers.

On July 24, 2000, the Commission issued its Order for Notice and Comment, establishing the case, requiring that notice be given to affected localities, providing for the receipt of comments from the public, and requiring the Commission's Staff to analyze the reasonableness of DTE's application and present its findings in a Staff Memorandum to be filed on or before August 14, 2000. No comments from the public were received.

On August 14, 2000, a Staff Memorandum was filed concerning DTE's fitness to provide competitive electric service. The Staff concluded that DTE meets the technical fitness requirements for licensure. The Staff also discussed DTE's request for a waiver of 20 VAC 5-311-50 A 12 a of the Interim Rules, which requires an applicant to file an audited balance sheet and income statement for the most recent fiscal year, as well as published financial information, if available. Though DTE provided the financial statements of its parent company, DTE has a policy of nondisclosure concerning its own financial information. Therefore, the Staff was unable to draw conclusions about DTE's financial fitness for licensure based upon the data provided.

Accordingly, the Staff recommended that the Company be granted a license to provide service to commercial and industrial customers in the Virginia Power and AEP-VA pilot programs and be granted the requested waiver, subject to the filing of a surety bond in the amount of \$100,000 as evidence of DTE's financial responsibility. On August 22, 2000, DTE filed a surety bond in the amount of \$100,000, naming Travelers Casualty and Surety Company as the Surety on the bond.

DTE did not file any other response to the Staff Memorandum.

NOW UPON CONSIDERATION of the application, the Staff Memorandum, and the applicable law, we find that DTE's application to provide electric service should be granted.

Accordingly, IT IS ORDERED THAT:

(1) DTE Energy Marketing, Inc., hereby is granted license No. PE-3 to provide competitive electric service to commercial and industrial customers in conjunction with Virginia Electric and Power Company's and American Electric Power - Virginia's retail access pilot programs. This license to act as a competitive service provider is granted subject to the provisions of the Interim Rules Governing Electric and Natural Gas Retail Access Pilot Programs, 20 VAC 5-311-10 *et seq.* ("Interim Rules"), this Order, and other applicable statutes.

(2) DTE hereby is granted a waiver of 20 VAC 5-311-50 A 12 a of the Interim Rules.

(3) The issuance of this license is granted subject to the maintenance of a surety bond in the amount of \$100,000 throughout the duration of the pilot programs in which DTE is participating.

(4) This license shall expire upon termination of the applicable pilot programs unless otherwise ordered by the Commission. This license is not valid authority for the provision of any product or service not identified within the license itself.

(5) Failure of DTE to maintain the surety bond filed August 22, 2000, or to provide a substitute surety bond prior to the expiration of the bond originally filed, DTE's failure to comply with the Interim Rules, the provisions of this Order, other applicable Federal Energy Regulatory Commission or State Corporation Commission orders and rules, or other state or federal laws may result in an enforcement action by the Commission including, without limitation, the revocation, suspension, or modification of the license granted herein, the refusal to renew such license, the imposition of appropriate fines and penalties, or such other additional actions as may be necessary to protect the public interest.